

REMARKS

Rejection of Claim 1 Under 35 U.S.C. § 112, Second Paragraph

The examiner has stated that claim 1 is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention in that the term “general” is indefinite, and the formula is confusing with respect to the connectivity of the different moieties.

Applicants have amended claims 1 and 13, and withdrawn claim 11, to remove the term “general.” This term had been used in the claims to mean that the formula was generic, not that the formula was vague. By removing the term, applicants are not altering the scope of the claims, but are making it easier to understand. The formula remains a generic formula with sites for substitution (R₁, V₁, R₂, and V₂).

Applicants have further amended claim 1 to incorporate claim 8 into claim 1. Applicants believe that this amendment removes any confusion as to the connectivity of the different moieties. Applicants have also amended claims 11-13, including withdrawn claims 11 and 12, in the same manner.

Claims 1 and 13, and withdrawn claims 11 and 12, were amended to remove the term “optionally substituted” and replace it with “independently substituted or not substituted.”

Claim 9 has been amended to correct a typographical error, substituting a period for a comma at the end of the claim.

Applicants believe that these amendments obviate the rejection and objections presented by the examiner in the office action, and therefore request that the rejection and objections be withdrawn.

Rejoinder of Claims 11-12

In the restriction requirement for this case, the examiner required election of one of two groups:

- Group I: claims 1-10 and 13 as claiming products, and
- Group II: claims 11 and 12 as claiming processes for making the products of group I.

Applicants elected Group I. The claims of Group II, claims 11 and 12, contain all of the limitations of claim 1, in Group I. As applicants believe that the claims of Group I are now in order for allowance, applicants request rejoinder of claims 11 and 12 under MPEP §821.04.

CONCLUSION

Applicants believe that the claims are now in order for allowance and request that the examiner withdraw the rejection of claim 1 and the objections to claims 2-10 and 13, rejoin claims 11 and 12, and issue a Notice of Allowance. If the examiner believes it would promote the progress of this application, he is invited to contact the undersigned at her direct line ((650) 251 7702) or by email at schneider@reedpatent.com.

Respectfully submitted,

By:


Carol A. Schneider, Ph.D., J.D.
Registration No. 34,923

Reed Intellectual Property Law Group
1400 Page Mill Road
Palo Alto, California 94304-1124
(650) 251-7700 Telephone
(650) 251-7739 Facsimile